

Rezoning Transportation Analysis

Petition Number: #2022-070

General Location Identifier: 02505103, 02505102

From: Jake Carpenter, PE

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Reviewer:

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Revision Log:

Date	Description
09-29-22	First Review (PDM)
10-27-22	Second Review (TM)
12-22-22	Third Review (DR)
02-23-23	Fourth Review (DR)

General Review Information

The petition is located on the west side of Old Statesville Road, a State-maintained major throughfare south of Vance Davis Drive, a City-maintained major collector. The petition is located in a north corridor outside Route 4. The petition is also located within the limits of the I-485 Interchange Analysis Area Plan.

Active Projects Near the Site:

- STIP U-5772
 - The project will widen Old Statesville Road to four lanes from WT Harris Blvd to I-485. The project will also realign Independence Hill Drive with Old Statesville Road.
 - ROW for the project is in 2028 per the latest version of the DRAFT NCDOT STIP

CDOT's review of this rezoning petition is intended to provide consistency with council adopted policies, plans, standards and guidelines including, but not limited to, the [Transportation Action Plan \(TAP\)](#), [Vision Zero](#), [Urban Street Design Guidelines \(USDG\)](#), [Center, Corridor and Wedges](#), [Charlotte BIKES](#), [Traffic Impact Study Guidelines](#) and [Charlotte WALKS](#). With a commitment to design complete streets, this review is to ensure that the City's transportation network supports current and future land uses and includes streets that provide safe and comfortable mobility for motorists, pedestrians, bicyclists, and transit users.

This document is primarily for communication to Planning Department staff as part of the overall City staff analysis of the rezoning petition and includes an overall summary of the case from a transportation perspective, information on trip generation, and resolved or outstanding site plan concerns. Additional advisory information about the driveway permit process is provided for information only.

Based on our review of the petition, we offer the following information for your consideration.

Transportation Summary

The petition is located on the west side of Old Statesville Road, a State-maintained major throughfare south of Vance Davis Drive, a City-maintained major collector. A Traffic Impact Study (TIS) is needed for this site. The TIS was approved by CDOT and NCDOT on January 31, 2023. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including removing the phasing of the transportation improvements or providing a revised TIS. Further details are listed below.

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Trip Generation

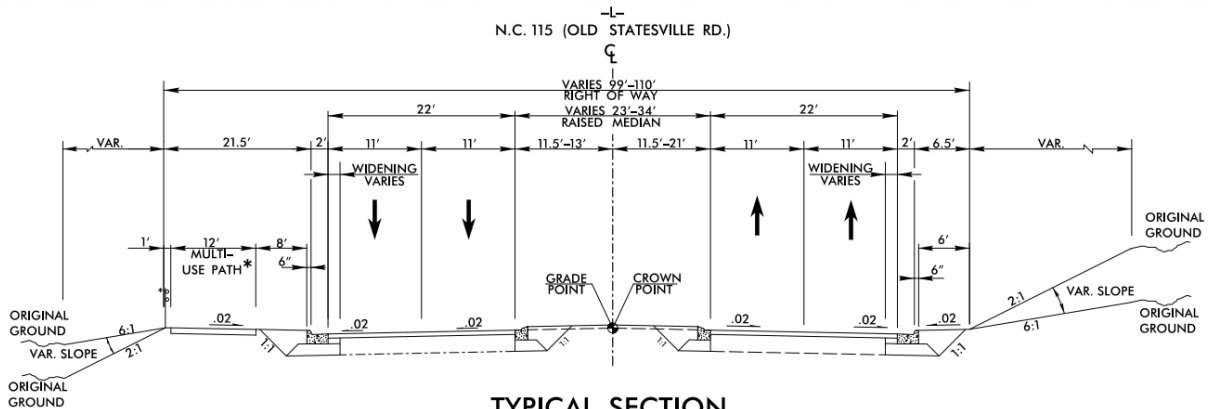
Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Vacant	-	-	Tax Record
Entitlement with Current Zoning	Retail (BP, 31.41 acres)	314,100 SF	13,485	General Guidance from Planning
Proposed Zoning	Multifamily (Low-Rise) Multifamily (Mid-Rise) General Office Strip Retail Plaza (MUDD, 31.41 acres)	30 Dwelling Units 360 Dwelling Units 20,000 SF 25,200 SF	3,600	Per TIS Scope

Provide comments to the specified comments below.

Outstanding Issues

Strikethrough = Resolved

1. ~~**Curbline:** The proposed zoning district has a setback measured from back of the existing or proposed future curbline.~~
 - a. ~~**Old Statesville Road:** The future location of the back of curb and gutter shall be located at minimum 36 feet from the centerline of the roadway.~~



TYPICAL SECTION
 -L- N.C. 115 (OLD STATESVILLE RD.)
 DAVID COX RD. TO I-485
 *MULTI-USE PATH VARIES ALONG N.C. 115

~~**Outstanding Comment From 9-29-22:** Label and dimension the curb and gutter from the centerline for each road on the site plan.~~

2. ~~Traffic Study:~~

~~A Traffic Impact Study is necessary for the complete review of this petition due to the site generating more than 2,500 daily trips.~~

~~The TIS Scoping Package was submitted by the petitioner on April 27, 2022 and was approved by CDOT on August 26, 2022. Per coordination with CDOT, NCDOT, and the petitioner, the TIS will analyze two access scenarios to account for the STIP U-5772 project.~~

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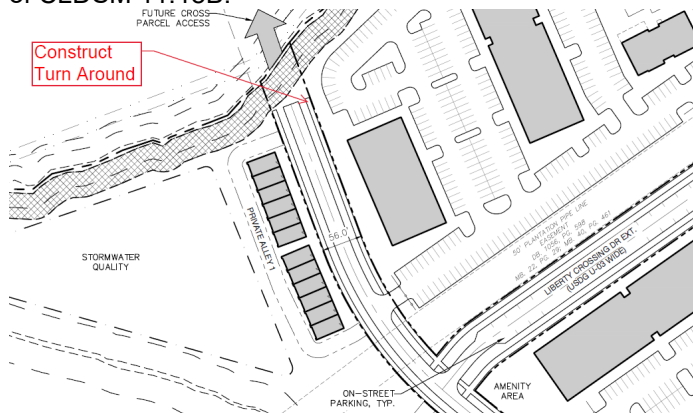
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Staff will receive the petition and begin review, but the public hearing will not be scheduled until the TIS is approved to allow for the minimum time necessary for CDOT to review the study and reach agreement with the petitioner on the required transportation commitments. ~~Any agreed upon commitments shall be included on the last site plan submitted no fewer than 4 weeks prior to the public hearing.~~ Therefore, additional traffic mitigation comments may be forthcoming once the TIS is approved by CDOT (and NCDOT).

- ~~3. Revise site plan to dimension the proposed right-of-way along Old Statesville Road to be dedicated. The ROW dedication shall include the necessary widths to accommodate the NCDOT U-5772 project.~~

Clarifying Comment (10-26-2022): Dimension ROW along Old Statesville Road from the centerline of the roadway.

- ~~4. Revise site plan and conditional note(s) to identify Independence Hill extension and Liberty Crossing Drive extension roadways as public or private.~~
- ~~5. Revise site plan to dimension the 8 foot planting strip, and 8 foot sidewalk along the internal public roads per Chapter 19.~~
- ~~6. **Outstanding Comment From 9-29-22:** Confirm if the property will be annexed into the City of Charlotte. If the property will not be annexed into the City of Charlotte, the multi-use path along Old Statesville Road shall be located outside of the right-of-way with a public access easement.~~
- ~~7. Site plan and conditional note(s) revisions are needed to commit to constructing a temporary turn around at the proposed future cross parcel access on Independence Hill Road extension in accordance of CLDSM 11.18B.~~



- ~~8. A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued as needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~
- ~~9. Add conditional note "All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northeastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~
10. **New Comment From 2-23-23:** The site plan submittal from 2/13/2023 includes phasing of the offsite transportation improvements but the traffic study was not phased. If the intent is to phase the

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transportation improvements, then a revised traffic study will need to be provided. In addition, all offsite transportation improvements are to be completed prior to the Site's first certificate of occupancy.

Advisory Information

The following are requirements of the developer that must be satisfied prior to driveway permit approval. These requirements shall be reflected on the rezoning plan, as appropriate.

1. The setback for this district is measured from the back of the existing or future curbline as determined by CDOT and Planning during the permitting process.
2. CDOT has the authority to regulate/approve all private street/driveway and public street connections to the right-of-way of a street under the regulatory jurisdiction of the City of Charlotte, per the City of Charlotte's Driveway Regulations.
3. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 50' x 50' sight triangles (and two 10' x 70' sight triangles on NCDOT-maintained streets) are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs shall not interfere with sight distance at the entrance(s) and shall be identified on the site plan.
4. The proposed driveway connection(s) to public streets will require a driveway permit(s) to be submitted to CDOT (and NCDOT on NCDOT-maintained streets) for review and approval. The exact driveway location(s) and type/width of the driveway(s) will be determined by CDOT during the driveway permit process. The locations of the driveway(s) shown on the site plan are subject to change in order to align with driveway(s) on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.
5. All proposed commercial driveway connections to a future public street will require a driveway permit submitted to CDOT for review and approval.
6. Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
7. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
8. The petitioner needs to complete and submit the [Right of way Abandonment Petition form](#) to CDOT for review. The decision of this rezoning petition does not correlate with the decision of the possible abandonment, as this decision is issued within the separate Right of Way Abandonment process that is controlled by North Carolina General Statutes.
9. To attain a street and pedestrian lighting recommendation, the petitioner should coordinate with Anthony Mendez, CDOT. Please visit the following link:
<https://charlottenc.gov/Transportation/Programs/Pages/StreetLighting.aspx>